

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

JOSEPH SWINT,

Probationer

NO. 5: 08-CR-53 (HL)

RE: PROBATION VIOLATIONS

O R D E R

JOSEPH SWINT, a **PROBATIONER** in the above-styled criminal proceeding, this day appeared before the undersigned for a hearing under provisions of Rule 32.1 of the Federal Rules of Criminal Procedure. He was advised of the nature of the proceedings against him and of his legal and constitutional rights. With the assistance of legal counsel, Mr. Lester Miller of the Macon Bar, the **PROBATIONER** [orally] waived a preliminary hearing under Rule 32.1(a)(1) of the **Rules** and agreed that a **final** hearing could be scheduled under Rule 32.1(a)(2).

Upon consideration of the provisions of Rule 46(c), the court finds that release from custody at this time is inappropriate in this case. Grounds for revocation set forth in the PETITION FOR ACTION ON PROBATION include allegations that Mr. SWINT has failed to abide by conditions imposed upon him in numerous ways, including using illegal drugs on several occasions and failing to report as directed. Therefore, IT IS ORDERED AND DIRECTED that JOSEPH SWINT be **DETAINED** by the United States Marshal until further order of the court.

While held in custody, said **PROBATIONER** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said probationer shall appear before the Honorable Hugh Lawson, district judge, for a FINAL HEARING as directed by Judge Lawson. The Clerk of Court is directed to forward this order and the within file to Judge Lawson for the scheduling of said FINAL HEARING.

SO ORDERED AND DIRECTED, this 8th day of SEPTEMBER, 2009.



A handwritten signature in black ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE